IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Bail Appl..No. 1505 of 2007()

CC.404/2002 of J.M.C. - I, PONNANI
CRIME NO.43/2002 OF PERUMBADAPPU POLICE STATION

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PETITIONER

MANNINGAYIL FAIZAL, S/O.MONUTTY,
PAZHANJI,VELIYAMCODE,
MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS:

THE STATE OF KERALA, REPRESENTED BY
THE SUB INSEPCTOR OF POLICE,PERUMBADAPPU POLICE STATION-THORUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM,KOCHI-31.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1505/2007

Dated this 13th day of March, 2007

O R D E R

The petitioner who is the first accused in Crime No.43/2002 of Perumbadappu Police Station for offences punishable under Sections 143, 147, 148, 452, 323 and 324 IPC read with Section 149 IPC, seeks anticipatory bail.

2. Consequent on the non appearance of the petitioner in C.C.No.404/2002 on the file of the J.F.C.M, Ponnani, the case against him was transferred to the long pending register and registered as L.P.No.27/2006. Admittedly non bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a Court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail.

3. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs